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Attorney Docket No.900.190US1

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **REAL TIME MUSIC RECOGNITION AND DISPLAY SYSTEM**.

The specification of which was filed on July 16, 2003 as application serial no. 10/622,083.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

Attorney Docket No.: 900.190US1

Serial No. 10/622083 Filing Date: July 16, 2003 Page 2 of 4

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Greaves, John N.	Reg. No. 40,362	Nielsen, Walter W.	Reg. No. 25,539
Arora, Suneel	Reg. No. 42,267	Harris, Robert J.	Reg. No. 37,346	Padys, Danny J.	Reg. No. 35,635
Beekman, Marvin L.	Reg. No. 38,377	Jackson Huebsch, Katharine A.	Reg. No. 47,670	Parker, J. K.	Reg. No. 33,024
Bianchi, Timothy E.	Reg. No. 39,610	Jurkovich, Patti J.	Reg. No. 44,813	Peacock, Gregg A.	Reg. No. 45,001
Billion, Richard E.	. Reg. No. 32,836	Kalis, Janal M.	Reg. No. 37,650	Perdok, Monique M.	Reg. No. 42,989
Black, David W.	Reg. No. 42,331	Klima-Silberg, Catherine I.	Reg. No. 40,052	Peret, Andrew R.	Reg. No. 41,246
Brennan, Thomas F.	Reg. No. 35,075	Kluth, Daniel J.	Reg. No. 32,146	Peterson, David C.	Reg. No. 47,857
Chadwick, Robin A.	Reg. No. 36,477	Lacy, Rodney L.	Reg. No. 41,136	Prout, William F.	Reg. No. 33,995
Clark, Barbara J.	Reg. No. 38,107	Lundberg, Steven W.	Reg. No. 30,568	Schumm, Sherry W.	Reg. No. 39,422
Clise, Timothy B.	Reg. No. 40,957	Maki, Peter C.	Reg. No. 42,832	Schwegman, Micheal L.	Reg. No. 25,816
Cochran, David R.	Reg. No. 46,632	Malen, Peter L.	Reg. No. 44,894	Speier, Gary J.	Reg. No. 45,458
Dahl, John M.	Reg. No. 44,639	Mates, Robert E.	Reg. No. 35,271	Steffey, Charles E.	Reg. No. 25,179
DeLizio, Andrew	Reg. No. 52,806	McCrackin, Ann M.	Reg. No. 42,858	Tong, Viet V.	Reg. No. 45,416
Drake, Eduardo E.	Reg. No. 40,594	Mehrle, Joseph P.	Reg. No. 45,535	Viksnins, Ann S.	Reg. No. 37,748
Embretson, Janet E.	Reg. No. 39,665	Muller, Mark V.	Reg. No. 37,509	Woessner, Warren D.	Reg. No. 30,440
Fortest, Bradley A.	Reg. No. 30,837	Nama, Prakash	Reg. No. 44,255		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false

Telephone No. (612)373-6900

Full Name of joint inventor n	umber 1 : Arun Somani	
Citizenship:	United States of America	Residence: Ames, IA
Post Office Address:	2445 Ridgetop Cir 50014	
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Signature:	Touran-	$-$ Date: $\frac{12}{100}$
Ä	run Somani	· · · · · · · · · · · · · · · · · · ·

X Additional inventors are being named on separately numbered sheets, attached hereto.

statements may jeopardize the validity of the application or any patent issued thereon.

Attomey Docket No.: 900.190\ Serial No. 10/622083 Filing Date: July 16, 2003	JS1			Page 3 of 4
Full Name of joint invent Citizenship: Post Office Address:		Residence: Ames, IA		
Signature:	Wu Tao	Date: Dec c	26th, 200	<u>J</u>
Full Name of joint invent Citizenship: Post Office Address:	or number 3: Raed Adhami Lebanon 721 Crawford Avenue Ames, IA 50010	Residence: Ames, IA		
Signature:	Raed Adhami	Date:		<u> </u>
Full Name of joint inventionship: Post Office Address:	tor number 4: <u>Liang Zhao</u> China 6122 Breezewood Drive #303 Greenbelt, MD 20770	Residence: Greenbelt, MD		
Signature:	Liang Zhao	Date:		
Full Name of joint inven Citizenship: Post Office Address:	tor number 5: <u>Anil Sahai</u> United States of America 709 White Post Road Webster City, IA 50010	Residence: Webster City, IA		
Signature:	Anil Sahai	Date:		

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Attomey Docket No.: 900.190 Serial No. 10/622083	US1	·	Page 3
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Signature:	Carry	Date: 12 10 0 3	
Full Name of joint inventor number 2: Wu Tao Gitizenship: China Residence: Ames, IA Post Office Address: Room 128H University Village Ames, IA 50010 Signature: Wu Tao Full Name of joint inventor number 3: Raed Adhami Citizenship: Lebanon Residence: Ames, IA Post Office Address: 721 Crawford Avenue Ames, IA 50010 Signature: Raed Adhami Full Name of joint inventor number 4: Liang Zhao Citizenship: China Post Office Address: 6122 Breezewood Drive #303 Greenbelt, MD 20770 Signature: Liang Zhao Full Name of joint inventor number 5: Anil Sahai Citizenship: United States of America Post Office Address: 709 White Post Road Webster City, IA 50010 Residence: Ames, IA Residence: Greenbelt, MD Pate: Pa			
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Full Name of joint inve	ntor number 5 · Anil Sahai		
	United States of America	Residence: Webster City, IA	
	•		
Post Office Address.			
•	Webster City, IA 50010		
Signature:	a.	Date:	·
	Anil Sahai		
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Attorney Docket No.: 900.196 Serial No. 10/622083 Filing Date: July 16, 2003	DUSI .		Page 3 of
Full Name of joint inver Citizenship: Post Office Address:	ntor number 2: Wu Tao China Room 128H University Village Ames, IA 50010	Residence: Ames, IA	
Signature:	•	Data	
	Wu Tao	Date:	
Full Name of joint inver Citizenship: Post Office Address:	Lebanon 721 Crawford Avenue	Residence: Ames, IA	
Signature:	Ames, IA 50010	Date:	
Full Name of joint inven Citizenship: Post Office Address:	China 6 122 Breezewood Drive #3 03	College Park Residence: Greenbelt, MD 6100 Westchester Park Dr. #512 College Park, MD 20740	16/03
Signature:		Date: <u>Dec. 16, 2003</u>	3
Full Name of joint inven Citizenship: Post Office Address:	tor number 5: <u>Anil Sahai</u> United States of America 709 White Post Road Webster City, IA 50010	Residence: Webster City, IA	
Signature:	•	Date:	· .

Attorney Docket No.: 900 190US1 Serial No. 10/622083 Filing Date: July 16, 2003

Page 4 of 4

- § 1.56 Duty to disclose information material to patentability.
- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by \$\frac{8}{2}\$ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

NO.020



Attorney Docket No.900,190US)

SCHWEGMAN E LUNDBERG WOESSNER KLUTH

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name, that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **REAL TIME MUSIC RECOGNITION AND DISPLAY SYSTEM**.

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No such claim for priority is being made at this time.

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I hereby app	oint the fo	llowing	atto	mey(s) and/or patent	agent(s) to pros	secute this application	and to transact
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Arora, Suncel	Reg. No	. 42.267		Izmis, Robert J.	Reg. No. 37,346 .	Padys, Damy I. Parker, J. K.	Reg. No. 35,635 Reg. No. 33,024
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Cochran, David R.		b. 46,632		Malon, Poter L.	Reg. No. 44,894 Reg. No. 35,271	Speier, Gary J. Steffey, Charles E.	Reg. No. 25,179
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Attorney Docket No.: 900.1901JS1 Serial No. 10/622083 Filing Date: July 16. 2003			Page 3 of 4
Full Name of joint inventor number Citizenship: Post Office Address:	China Room 128H University Village	Residence: Ames, IA	
Signature: Wu Tac	Ames, IA 500 0	Date:	
Full Name of joint inventor number Citizenship: Post Office Address:	er 3: Racd Adham Lebanon 721 Crawford Avenue Ames, IA 50010	ni Residence: Ames, IA	
Signature:Raed A	Achami	Date:	
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Signature: Liang	Zhao	Date:	
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Attorney Docket No.: 900.190U\$1 Serial No. 10/622083 Filing Date: July 16, 2003 Page 4 of 4

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- § 1.56 Duty to disclose information material to patentability.
- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by \$\frac{5}{2}\$ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
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- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
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 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignce or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, seent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.